

Message Text

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PAGE 01 STATE 122195

21

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DRAFTED BY: EUR/RPE:JTMCCARTHY

APPROVED BY: EUR/RPEACALBRECHT

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R 112157Z JUN 74

FM SECSTATE WASHDC

TO USMISSION EC BRUSSELS

AMEMBASSY ROME

UNCLAS STATE 122195

FOLLOWING REPEAT STATE 122195 ACTION LONDON 10 JUN

QUOTE

UNCLAS STATE 122195

E.O. 11652: N/A

TAGS: ECON, EEC, IS

SUBJECT: WHEAT: REQUEST FOR U.S. VIEWS ON RATIFICATION

FOOD AID CONVENTION 1971

REF: EMBASSY'S A-483

1.

EMBASSY REQUESTED INFORM J. H. PAROTTE, EXEC. SEC.
INTERNATIONAL WHEAT COUNCIL IN RESPONSE TO INQUIRY IN HIS
LETTER OF MAY 24 TO CHARLES T. YORK THAT (A) THEORETICALLY
UNDER ART. VII FOOD AID COMMITTEE CAN EXTEND TIME FOR
DEPOSIT RATIFICATION BEYOND JUNE 30, 1974 BUT POINT IS
MOOT IN OUR VIEW BECAUSE ITALY AND EEC ARE SUBJECT TO LEGAL
OBLIGATIONS IMPOSED BY CONVENTION THROUGHOUT THE PERIOD OF
THEIR PROVISIONAL APPLICATION OF THE CONVENTION. EEC LEGAL
ADVISERS' VIEW STATED IN PAROTTE'S LETTER IS ERRONEOUS IN
IMPLYING THAT PROVISIONAL APPLICATION HAS ONLY MORAL
IMPLICATIONS. PROVISIONAL PARTY IS SUBJECT TO LEGAL
OBLIGATIONS THROUGHOUT PERIOD OF PROVISIONAL APPLICATION.

UNCLASSIFIED

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PAGE 02 STATE 122195

ONLY SIGNIFICANT DIFFERENCE BETWEEN PARTY AND PROVISIONAL

PARTY IS THAT PROVISIONAL PARTY CAN RELIEVE SELF OF PROSPECTIVE LEGAL OBLIGATIONS BY NOTICE. ASSUMING NO SUCH NOTICE GIVEN BEFORE JUNE 30 EEC AND ITALY SUBJECT TO FULL LEGAL OBLIGATIONS AS IF HAD RATIFIED. (B) EVEN THOUGH AN EXTENSION OF TIME WERE GRANTED, THE DEPOSITARY WOULD NOT REGARD ANY INSTRUMENT OF RATIFICATION SUBMITTED BY A

PROVISIONAL PARTY AFTER EXPIRATION OF THE CONVENTION AS DEPOSITED UNTIL AFTER RECEIVING AND CONSIDERING VIEWS THEREON OF THE GOVERNMENTS CONCERNED. (C) MEMORANDUM FOR HIS INFORMATION FOLLOWS BY AIR POUCH.

2. ACCORDINGLY RECOMMEND INFORM PAROTTE OF ABOVE (MEMO FOR HIS INFORMATION FOLLOWS BY AIR POUCH). SISCO UNQUOTE BROWN

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Disposition Approved on Date:
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Disposition Comment:
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Disposition Event:
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Disposition Reason:
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30 JUN 2005

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